

The Six-Hour (6) Instructional Day: KRS 158.060 -158.070 The minimum instructional term must include at least one hundred seventy-five (175), six-hour (6) instructional days or the equivalent (1,050 hours) over the school year as approved by the local board of education.

- The six-hour (6) instruction day was not being met due to several factors. 702 KAR 7:125 allows for less than a six-hour (6) day in the event there are transportation delays in getting students to alternative programs, but this provision should not significantly reduce the amount of instructional time during the day.
- Students were walking or transported to other schools in order to get breakfast and/or lunch. Sometimes this resulted in substantial loss of instructional time.
- The school day was not starting on time or students were not receiving instruction immediately. Similarly, instruction ended before the official end of the school day.
- Students were not actively engaged in learning during the day resulting in loss of instructional time.
- As a reward for good behavior or academic progress, students were granted “Free Fridays” or something similar rewarding them non-instructional time to play games, watch videos, or have computer access.

High School Graduation Requirements: 704 KAR 3:305

- It was unclear in some secondary alternative programs how students were getting credits in courses such as Arts and Humanities and Physical Education. Recess activities do not meet the requirements for a .5 credit in Physical Education. Similarly, art projects do not equate to a one-credit course in Arts and Humanities.
- Individual Learning Plan (ILP): The ILP was not in existence for many students in alternative programs. The ILP is the electronic web-enabled version of the former paper-based Individual Graduation Plan (IGP)

The newly revised High School Minimum Graduation Requirements regulation states that beginning with the graduating class of 2013, sixth-grade students will begin developing their ILP. Each sixth-grade student in the 2006-07 school year will need to have an ILP.

Highly Qualified Teachers: No Child Left Behind Act, Sec. 9101(3)

- Some alternative programs utilize elementary certified teachers to deliver high school instruction. High school graduation requirements specify that elementary certified teachers cannot award high school credits.
- Some local mental health therapists were “teaching” Life Skills courses in alternative programs. It was unclear if certified teachers were adequately supervising these persons. Also, some programs were offering more than one (1) credit for Life Skills (i.e., Life Skills II). It was unclear if there was a difference in content between Life Skills I and Life Skills II.

Instructional Materials: 740 KAR 3:455, Section 23 (1) A public school student shall have access to necessary instructional resources which shall be furnished free of charge in grades primary through eight (8), and, except for students otherwise partially or wholly exempted from the rental fee, shall have the instructional resources available for the reasonable rental fee set forth in Section 17 of this administrative regulation for each subject studied in grades nine (9) through twelve (12); (2) Quantities of instructional resources needed for each student and each classroom shall be determined at the school level.

- Some programs did not have adequate instructional materials including textbooks, access to Internet, instructional technology.

Support Services: KRS 158.070(8); 156.497-4977

- Students had limited or no access to services such as Extended School Services (ESS), FRYSC, or school counselors. Since most students are in alternative programs because of behavioral or academic concerns, these support services are essential.